GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA

UNSTARRED QUESTION NO:4349
ANSWERED ON:28.03.2017
Creamy Layer Ceiling for OBCs
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Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the existing terms and conditions for determining creamy layer to exclude a family of backward class from the benefits of reservation under Other Backward Classes (OBCs) category in the country;

(b) whether the income from salary and agriculture of an individual has been excluded from the ceiling of Rs. 6 lakh annual income to determine the creamy layer and if so, the details thereof;

(c) the existing criterion followed by the Government for revision of income ceiling to determine the creamy layer status of a family in the country;

(d) whether the Government has any proposal to enhance the ceiling of income to determine the creamy layer status of a family keeping in view the implementation of recommendations of the 7th Pay Commission; and

(e) if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT
(SHRI KRISHAN PAL GURJAR)
(a):The terms and conditions for determining creamy layer in OBCs for the purpose of services under the Central Government are as given in Department of Personnel and Training's O.M. No.36012/22/93-Estt.(SCT) dated 08.09.1993 as amended from time to time.

(b): Category VI of the Department of Personnel and Training's O.M. dated 8.09.1993 regarding Income /Wealth Test provides, inter-alia, Son(s) and daughter(s) of

(a) Persons having gross annual income of Rs. 1 lakh or above or possessing wealth above, the exemption limit as prescribed in the Wealth Tax Act for a period of three consecutive years;
(b) Persons in Categories I, II, III and V A who are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them within the income/wealth criteria mentioned in (a) above.
Explanation:
(i) Income from salaries or agricultural land shall not be clubbed;
(c): The current annual income limit of creamy layer for Other Backward Classes reservation is Rs.6 lakh per annum with effect from 16.05.2013. Parameter/criteria fixed for revision of said annual income limit for creamy layer is Consumer Price Index.

(d): No, Madam.
(e): The criterion specified in para (c) above is followed for periodic enhancement of the Creamy Layer ceiling.